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Kulvir Singh Bhogal

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EXAMINER

GAUTHIER, GERALD

ART UNIT

PAPER NUMBER

2645

12

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/942,796

**Applicant(s)**

BHOGAL ET AL.

**Examiner**

Gerald Gauthier

**Art Unit**

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. In view of the appeal brief filed on February 17, 2004, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1, 3-5, 7, 9-11, 13, 15-17, 19, 21-23 and 25-27** are rejected under 35 U.S.C. 102(b) as being anticipated by Cohen et al. (US 4,937,798).

Regarding **claims 1 and 13**, Cohen discloses a method for entering messages into a database (column 1, lines 7-10), (which reads on “a communication system having a unified messaging”), the method comprising:

receiving a message (column 4, line 49 “a voice message”) from a user (column 4, line 48 “sending user”) by means (telephone 101 on FIG.1) of one of a plurality of allowable communication devices (column 4, lines 46-61) [The content descriptor architecture 50 receives the voice message from a user using the telephone 101]; and

entering the message into a designated account (column 6, line 2 “an universal mailbox is established for each user”) in the database (UMS 10 on FIG. 1), by converting and storing the message in a uniform storage format (column 5 line 7 “formats the information according to the architecture for a particular service”) specified for the designated account, wherein the uniform storage format is different from a data format (column 4, line 49 “voice message format which is an analog data format”) used by the communication device and wherein the uniform storage format is one of a plurality of different uniform storage format (Electronic Mail 110, Private Data System 111 on FIG. 1) used in the database (column 5, lines 4-16 and column 6, lines 20-50) [The UMS 10 has established a universal mailbox account for each user and the message are formatted according to the architecture of the user’s mailbox].

Regarding **claims 3, 9, 15 and 21**, Cohen discloses requesting personal identification information (column 8, line 18 “a password”) from the user, wherein the information is used to verify access rights to the database (column 8, lines 12-37).

Regarding **claims 4, 10, 16 and 22**, Cohen discloses wherein the message entered into the database is a voice message (column 6, lines 31-50).

Regarding **claims 5, 11, 17 and 23**, Cohen discloses wherein the message entered into the database is a text message (column 6, lines 51-64).

Regarding **claims 7 and 19**, Cohen discloses a method for retrieving messages from a database (column 1, lines 7-10), (which reads on “a communication system having a unified messaging”), the method comprising:

receiving a message-retrieval request (column 8, line 16 “the user dials an access code”) to retrieve a requested message (column 8, line 24 “the first messages”) from a user (column 8, line 14 “the user”) by means of one of a plurality of allowable communication devices (column 8, lines 1-37) [The user dials an access code to access the unified mailbox via several different retrieval devices];

retrieving the requested message from a designated account (column 8, line 52 “the unified mailbox”) in the database, wherein the message is stored in a uniform storage format (column 8, line 53 “data format”) specified for the designated account and wherein the uniform storage format used in the database and messages for each

designated account are only stored in the uniform storage format specified for such designated account (column 8, lines 51-68) [The user request retrieval of data messages using a personal computer from the unified mailbox assigned to the user];

converting the message from the uniform storage format to a data format (column 8, line 61 "retrieving mail") compatible with the communication device (column 8, lines 51-68) [The users sees a scanline of messages headers from different messages being converted to text data to be received on the personal computer];

conveying the converted message to the user (column 8, lines 51-68) [The user is free to manipulate those messages by executing commands to read or listen to the messages].

Regarding **claim 25**, Cohen as applied to **claim 1** discloses all the limitations of **claim 25** and furthermore Lung discloses a receiver (Switch Based 602 on FIG. 6), a filing component (TTS on FIG. 1) and a storage component (UMS 10 on FIG. 1).

Regarding **claim 26**, Cohen discloses as applied to **claim 7** discloses all the limitations of **claim 26** and furthermore Cohen discloses a receiver (UMS 10 on FIG. 1), a retrieving component (Personal Computer 104 on FIG. 1), a conversion component (Text-to-Speech converter 13 on FIG. 1) and a conveyance component (UMS 10 on FIG. 1).

Regarding **claim 27**, Cohen discloses all the limitations of claim 27 as stated on **claims 1 and 7** above.

4. **Claims 1, 6, 12, 13, 18 and 24-25** are rejected under 35 U.S.C. 102(e) as being anticipated by Lung et al. (US 6,532,230).

Regarding **claims 1 and 13**, Lung discloses a method for entering messages into a database (column 1, lines 12-17), (which reads on “a mixed-media communication apparatus”), the method comprising:

receiving a message (column 6, line 60 “a voice message”) from a user by means (telephone 290 on FIG. 2) of one of a plurality of allowable communication devices (column 6, lines 41-67) [The signal processor 500 receives the voice message from a user using the telephone 290]; and

entering the message into a designated account (column 7, line 38 “an attachment are associated with the user”) in the database (Memory Storage 510 on FIG. 4), by converting and storing the message in a uniform storage format (column 6 line 59 “convert and store incoming voice messages”) specified for the designated account, wherein the uniform storage format is different from a data format (column 6, line 60 “voice message which is an analog data format”) used by the communication device and wherein the uniform storage format is one of a plurality of different uniform storage format (column 6, line 61 “.wav file format” and column 6, line 66 “RealAudio”) used in the database (column 6, lines 56-67) [The memory storage 510 converts and

stores the incoming voice messages for each user and the message are formatted according to the architecture of the user's mailbox].

Regarding **claims 6, 12, 18 and 24**, Lung discloses the uniform storage format specified for the designated account may be one of the following:

wave file (column 6, lines 56-67);

RealAudio (column 6, lines 56-67).

Regarding **claim 25**, Lung as applied to **claim 1** discloses all the limitations of **claim 25** and furthermore Lung discloses a receiver (Integrated Messaging System 480 on FIG. 4), a filing component (Message agent 530 on FIG. 4) and a storage component (Memory Storage 510 on FIG. 4).

5. **Claims 1, 13 and 25** are rejected under 35 U.S.C. 102(b) as being anticipated by Bellcore Special Report (SR-INS-002662).

Regarding **claims 1 and 13**, Bellcore discloses a method for entering messages into a database, (which reads on "message transport and routing service technical service and architecture"), the method comprising:

receiving a message (§ 3.2.4.2, line 11 "EDI messages") from a user by means of one of a plurality of allowable communication devices (§ 3.2.4.2) [The message transport routing service receive the message submitted by the user for a recipient]; and



entering the message into a designated account (§ 3.2.4.2, line 34 “User Agent for a particular user”) in the database, by converting and storing the message in a uniform storage format (§ 3.2.4.2, line 29 “a default encoded information type”) specified for the designated account, wherein the uniform storage format is different from a data format (§ 3.2.4.2, line 6 “voice message which is an analog data format”) used by the communication device and wherein the uniform storage format is one of a plurality of different uniform storage format (§ 3.2.4.2, lines 4-10) used in the database (§ 3.2.4.2) [The message is submitted to the message transport routing service for a particular user the message is convert to a default format different from the incoming format among of the plurality formats of the system].

Regarding **claim 25**, Bellcore as applied to **claim 1** discloses all the limitations of **claim 25** and furthermore Bellcore discloses a receiver (MTRS on FIG. 3-7), a filing component (§ 3.2.3.4, line 1 “an MTRS user identifier”) and a storage component (§ 3.2.3.4, line 7 “an MTRS database”).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. **Claims 2, 8, 14 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen in view of Singh (US 6,405,035).

Regarding **Claims 2, 8, 14 and 20** Cohen discloses wherein the allowable communication devices include:

telephone (101 on FIG. 1);

computer (104 on FIG. 1).

Cohen fails to disclose mobile phone, PDA and pager.

However, Singh teaches a mobile phone (28 on FIG. 1);

(column 8, line 5 "PDA");  
pager (column 8, line 6 "pager") and wherein the allowable communication devices each sends data in a format different from the uniform storage format (column 7, lines 24-43).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the system of Cohen using the wireless network as taught by Singh.

This modification of the invention of Cohen would receive incoming messages from different communication device so that the user would choose the convenient suitable communication device to send messages.

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**GERALD GAUTHIER**  
**PATENT EXAMINER**

g.g.  
May 30, 2004

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